

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DARRICK L. HUNTER,

Plaintiff,

v.

JILMA MANESES, et al.,

Defendants.

CASE NO. 3:24-cv-05267-RSM-DWC

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) The following claims are DISMISSED with prejudice: Plaintiff's official capacity claims in all counts, his individual capacity procedural due process claims alleged in Counts One and Four, and his individual capacity claims alleged in Counts Two, Three, Five, and Six.
- (3) Plaintiff's individual capacity deliberate indifference claims alleged in Count Seven are DISMISSED without prejudice to being refiled in separate action.
- (4) Defendants Department of Social Health Services and Special Commitment Center are DISMISSED from this action.
- (5) The United States Magistrate Judge shall direct service of Plaintiff's first amendment retaliation claims against Defendants Tammy Boylan (Count One) and Dominique Miller (Count Four) in their individual capacities.

1 (6) The Clerk is directed to update the docket and case caption to reflect Defendant
2 Tammy Boylan as the lead defendant in this action.

3 (7) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
4 Defendants, and to the Hon. David W. Christel.

5 DATED this 18th day of June, 2024.

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7 RICARDO S. MARTINEZ
8 UNITED STATES DISTRICT JUDGE
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